

**STATE OF CALIFORNIA
AGRICULTURAL LABOR RELATIONS BOARD**

BOARD MEETING MINUTES

**Board Conference Room
915 Capitol Mall, 3rd Floor
Sacramento, CA 95814**

January 23, 2002

Time: 10:00 a.m.
Members Present: Chairwoman Shiroma, Board Members Barrios and Mason.
Staff Present: Executive Secretary Barbosa, Board Counsel Wender, Levy,
Murray, Heyck, Analyst Massie and Board Staff Nuño.
Others Present:
Absent:

OPEN SESSION

1. **APPROVAL OF MINUTES:** The Board approved minutes for January 16, 2001 3-0.
2. **PUBLIC COMMENT:** None.
3. **BOARD MEMBER COMMENT:** None.
4. **ANNOUNCEMENTS:**
 1. Rod Tuttle of Legislative Seminars will be hosting a public affairs workshop on demystifying the legislative process. The workshop will be held on February 22, 2002 at the Sutter Club in Sacramento.
 2. The Board's regularly scheduled meeting for Wednesday, January 30, 2002 has been moved to Tuesday, January 29, 2002 at 1:30 p.m.
 3. The California Department of Food and Agriculture has sent the agency a copy of its updated California Agriculture Resource Directory.
5. **WEEKLY STATUS REPORT ON ELECTIONS, UNFAIR LABOR PRACTICE COMPLAINTS, HEARINGS AND COURT LITIGATION:**

ELECTIONS REPORT:

NOTICE OF INTENT TO TAKE ACCESS AND NOTICE OF INTENT TO ORGANIZE: No new filings reported.

Election Petitions: None.

COMPLAINT REPORT:

One new complaint issued:

California Redi-Date, 00-CE-336-EC

The employer allegedly denied employment to various workers because they concertedly complained about the treatment by one supervisor and protested the appointment of the new supervisor.

One pre-hearing conference was held:

Pictsweet Mushroom Farms, 00-CE-332-EC(OX)

January 10 and 14, 2002.

One new backpay specification issued:

McCaffrey Goldner Roses, 00-CE-92-VI

January 11, 2002.

No ALJ decisions have issued.

One new case set for hearing:

Jasmine Vineyards, Inc., 00-CE-110-VI

Pre-hearing conference, March 11, 2002

Hearing, March 28, 2002.

Seven cases on calendar:

Pictsweet Mushroom Farms, 00-CE-332-EC(OX) .

Pre-hearing January 10 and 14, 2002 (completed)

Hearing February 14, 2002.

McCaffrey Goldner Roses, 00-CE-92-VI

Pre-hearing January 7, 2002 (completed)

Hearing February 25, 2002.

BLT Farms, Inc., 01-CE-501-EC(OX)

Pre-hearing March 12, 2002

Hearing March 26, 2002.

Jasmine Vineyards, Inc., 00-CE-110-VI

Pre-hearing conference, March 11, 2002

Hearing, March 28, 2002.

California Redi-Date, Inc., 00-CE-25-EC
Prehearing Conference (completed)
Hearing April 23, 2002.

Pacific Sod and Pacific Earth Resources, 01-CE-588-EC(OX)
Pre-hearing Conference May 7, 2002
Hearing May 21, 2002.

Cameiro Heifer Ranch, Inc., 01-CE-638-EC
Pre-hearing June 4, 2002
Hearing June 18, 2002.

SETTLEMENTS:

Seaview Growers, Inc., 00-CE-15-EC (OX) (new).
Taken off calendar January 14, 2002 as the parties reached an informal settlement agreement.

BOARD DECISIONS:

Pete Vanderham Dairy, Inc. 01-RC-3-EC(R)
The Board issued its decision on Thursday, January 17, 2002.

COURT LITIGATION:

Turco Desert Co., Inc., E030125 (27 ALRB No. 5): The Board's response brief was filed with the court on January 10, 2002. The matter is pending the petitioner's reply brief which is due January 28, 2002.

Cieniga Farms, Inc., B152844 (27 ALRB No. 5): The petitioner's opening brief is due January 31, 2002.

COMPLIANCE: No new activity to report.

6. BUDGET AND ADMINISTRATION:

- (a) **Information Technology and Web Site Development Project:** Analyst Massie reported that she will be obtaining a quote from Jel Productions for web site hosting services. She will also follow up with Capital Data Corp. regarding the upgrade of the Groupwise system to make sure users will be notified of unsent mail after the upgrade is installed.

Ms. Massie also reported that she had formatted the most current version of the Agricultural Labor Relations Act in a 5 1/2" x 8 1/2" booklet size.

Finally, Ms. Massie informed the Board that on January 22, 2002, she and

Executive Secretary Barbosa had attended the Executive Leadership Forum put on by the Governor's Office for Innovation in Government and the Department of Information Technology (DOIT). Topics discussed included security and ways to mitigate cyber-terrorism threats.

- (b) **Budget** – Chairwoman Shiroma asked that Accounting Manager Davis provide the Board with a summary of the current budget expenditures.
- (c) **Policies and Procedures**- Board Member Barrios announced that a finalized copy of the updated internal policies and procedures that have been completed thus far will be ready shortly.
- (d) **Regulations** – Executive Secretary Barbosa reported that James W. Bogart, President and General Counsel of Grower Shipper Association, submitted his comments to proposed amendments to Title 8, California Code of Regulations. Mr. Barbosa also reported that Rob Roy, President of Ventura County Agricultural Association, will be testifying before the Board on its regulatory package on February 6, 2002.
- (e) **Salinas Office Relocation** – Board Counsel Heyck reported that the Department of General Services, Real Estate Division has assigned a Real Estate Officer and Space Planner to assist the agency in evaluating options for the Salinas Regional Office.
- (f) **Rulemaking Calendar** – Executive Secretary Barbosa announced that the rulemaking calendar was mailed to the Office of Administrative Law on January 17, 2002.
- (g) **Annual Report** – Executive Secretary Barbosa circulated a copy of a narrative of fiscal year 2000-2001 accomplishments prepared by Chief Administrative Law Judge Sobel for the annual report. The Board will review the narrative and discuss any edits on January 29, 2002 at 10:00 a.m.

7. **OUTREACH PROJECT** – Executive Secretary Barbosa reported that he will meet with Javier Juarez on January 24, 2002 to discuss the status of the novela.

Board Counsel Levy reported that she had spoken with a representative from the California Department of Education who has been involved in developing a curriculum for the upcoming Cesar Chavez holiday (April 1, 2002). The curriculum can be viewed on-line at www.cde.ca.gov/cesarchavez. The Board discussed the possibility of providing material on the Agricultural Labor Relations Act for the Department of Education website and /or arranging for a link to the Agricultural Labor Relations Board website. The Board asked Board Counsel Levy to invite Department of Education staff to do a brief presentation on the curriculum at the January 29, 2002

1:30 p.m. Board meeting.

8. **LEGISLATION:** Board Counsel Wender reported that he had reviewed several notices of proposed regulatory action from the California State Personnel Board and had determined that the proposed regulations are procedural in nature and have no significant impact on the ALRB.
9. **PERSONNEL:** Chairwoman Shiroma reported that Chief Administrative Law Judge Sobel has drafted a hiring freeze exemption request which will be circulated for review shortly.

Board Member Barrios announced that she will be attending the Stanford Law School Career Day on February 7, 2002 to interview prospective student interns. Ms. Barrios also announced that on the same date from 5:00 p.m. to 7:00 p.m. Mc George Law School will hold its annual Public Interest Law Job Fair and suggested that a representative from the ALRB attend.

10. **COMPLIANCE :** No new activity to report.
11. **FUTURE AGENDA REVIEW:** None.

PUBLIC MEETING ADJOURNED AT: 11:00 a.m.

WHEREUPON THE BOARD ENTERED INTO CLOSED SESSION.